

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 20<sup>TH</sup> DAY OF FEBRUARY 2017, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

The Town Council met in a regular meeting with the following members present:

Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem (left at 8:52 p.m.)
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

constituting a quorum with the following members absent:

Tom Hayden	Mayor
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and the following Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Alora Wachholz	Interim Director of Economic Development

**A. CALL REGULAR MEETING TO ORDER**

Mayor Pro Tem Bryant called the regular meeting to order at 6:00 p.m.

**B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**

Chaplain McNamer gave the invocation and Mayor Pro Tem Bryant led the pledges.

**D. PUBLIC PARTICIPATION**

*Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.*

	<b>Speaker names and address</b>	<b>Subject (as written on speaker form)</b>
1.	Paul Stone, 709 Lake Bluff Dr	Summit Club

**E. ANNOUNCEMENTS**

Councilmember McDaniel offered his regrets that he was unable to make the February 16<sup>th</sup> work session.

Councilmember Gelbman announced a shooting incident in California where two law enforcement officers were shot and expressed his sadness.

Mayor Pro Tem Bryant gave the following announcements:

- Recited a portion of a letter received from NWISD in appreciation of the Flower Mound Police Department
- Fire Station No. 6 is now open in Canyon Falls
- New fire truck equipment
- New command center vehicle

**F. TOWN MANAGER'S REPORT**

Mr. Stathatos, Mr. Dalton, or Mr. Meredith provided an update on the following projects:

1. Capital improvement projects:

- McKamy Creek road reconstruction
- Forest Vista road reconstruction

There was Council discussion or questions regarding:

- What processes are now in place to prevent some of the issues with utility services providers that happened with the Forest Vista project
- A request for an update on the TxDOT FM 2499 project

2. Economic Development projects:

- Mi Dia progress update – corner of West Windsor and FM2499 (May opening anticipated)
- NCTC job fair on March 7th at Innovate (including a job board resource of <https://www.collegecentral.com/nctc/>)
- River Walk retail

3. New Town Hall and Library expansion:

Town Hall:

- May 8<sup>th</sup> – site plan to P & Z
- June 5<sup>th</sup> – site plan to Council, guarantee maximum price contract, and CIP amendment to reflect the final amount

Library:

- Soon to meet with the TIRZ Board

4. Senior housing:

- February 13<sup>th</sup> P & Z meeting update and feedback
- Next steps which include a public hearing at P & Z on February 27<sup>th</sup> and a Council public hearing on March 6<sup>th</sup>

There was Council discussion or questions regarding:

- How will some of the questions brought up at P & Z be resolved

5. The Towns' regulations on "Now Hiring" signs:

- What is allowed by code in relation to "now hiring" signs

There was Council discussion or questions regarding:

- Interest in having a future discussion to see what ways now hiring signs can be allowed to happen, even if it means there are regulations, time stipulations, or cost involved
- Interest in continuing to host job fairs with various business partners as it addresses the issue at hand

6. Quality of cell service in certain parts of Flower Mound:

- Update on meetings with service providers, which included a discussion about small cell technology with AT & T
- Update on meeting with a property owner that is interested in exploring the possibility of having a cell tower on their property
- Lakeside DFW is also working with some providers for the top of their condo tower

There was Council discussion or questions regarding:

- How the cell coverage issue is the number one complaint Council receives, and it's both a safety and productivity issue for the citizens

**G. FUTURE AGENDA ITEMS**

There were no future agenda items brought forward.

**H. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS**

Mayor Pro Tem Bryant announced that The next Town Council meeting is scheduled for Monday, March 6, 2017.

**I. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on February 6, 2017.

**RECOMMENDATION:** Move to approve the minutes from a regular meeting of the Town Council held on February 6, 2017.

2. Consider approval of canceling the July 3, 2017, regular meeting of the Town Council.

**RECOMMENDATION:** Move to approve canceling the July 3, 2017, regular meeting of the Town Council.

3. Consider approval of canceling the September 4, 2017, regular meeting of the Town Council and calling a regular meeting on September 5, 2017.

**RECOMMENDATION:** Move to approve canceling the September 4, 2017, regular meeting of the Town Council and calling a regular meeting on September 5, 2017.

4. Consider approval of an amended Service Agreement Contract with Active Network, LLC. to adjust the transaction fees, and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve an amended Service Agreement Contract with Active Network, LLC to adjust the transaction fees, and authorization for the Mayor to execute same on behalf of the Town.

5. Consider approval of an agreement with DataProse LLC for utility bill printing and mailing services, in the estimated annual amount of \$141,080, through an existing interlocal agreement between the Town of Flower Mound and the City of Plano, and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve an agreement with DataProse LLC for utility bill printing and mailing services, in the estimated annual amount of \$141,080, through an existing interlocal agreement between the Town of Flower Mound and the City of Plano, and authorization for the Mayor to execute same on behalf of the Town.

6. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2016, and ending on September 30, 2017, as adopted by Ordinance No. 52-16 and amended by Ordinance 70-16 for adjustments to the Stormwater Utility Fund, General Fund and Vehicle and Equipment Replacement Fund.

**RECOMMENDATION:** Move to approve an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2016, and ending on September 30, 2017, as adopted by Ordinance No. 52-16 and amended by Ordinance 70-16 for adjustments to the Stormwater Utility Fund, General Fund and Vehicle and Equipment Replacement Fund.

**ORDINANCE NO. 02-17**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016, AND ENDING ON SEPTEMBER 30, 2017, AS ADOPTED BY ORDINANCE NO. 52-16 AND AMENDED BY ORDINANCE NO. 70-16, BY PROVIDING FOR ADJUSTMENTS TO THE STORMWATER UTILITY FUND, GENERAL FUND AND VEHICLE AND EQUIPMENT REPLACEMENT FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

7. Consider for Approval of 2017 Army Corps of Engineer Solicitation No. W9126G-17-T-0041 for Contract with TOFM for law enforcement services at Lake Grapevine

**RECOMMENDATION:** Move to approve the USACE Solicitation No. W9126G-17-T- 0041 for Contract with the Town of Flower Mound for law enforcement services at Lake Grapevine.

8. Consider approval of the purchase and installation of the 2016-17 Playground Replacements project, for the Gaston Park Playground, from Playwell Group, Inc., and PlayWorks, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$210,943.68.

**RECOMMENDATION:** Move to approve the purchase and installation of the 2016-17 Playground Replacements project, for the Gaston Park Playground, from PlayWell Group, Inc., and PlayWorks, mlnc., through the Texas Local Government Purchasing Cooperative, in the amount of \$210,943.68.

9. Consider approval of Change Order No. 3, for a decrease in the amount of \$75,000.27, the final acceptance of the Oak Drive Water Main Replacement project, and authorization of final payment to the contractor, A&M Construction and Utilities, Inc., in the amount of \$66,431.77; and authorization for the Mayor to execute on behalf of the Town.

**RECOMMENDATION:** Move to approve Change Order No. 3, for a decrease in the amount of \$75,000.27, the final acceptance of the Oak Drive Water Main Replacement project, and authorize final payment to the contractor, A&M Construction and Utilities, Inc., in the amount of \$66,431.77; and authorize the Mayor to execute on behalf of the Town.

10. Consider approval of a Development Agreement with Toll Brothers, Inc. for the construction of Town infrastructure associated with the Oak Bridge residential development; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Recommend approval of a Development Agreement with Toll Brothers, Inc. for construction of a portion of the Aberdeen Drive and Aberdeen 12-inch Water Line projects associated with the Oak Bridge residential development; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Bryan Webb moved to approve by consent Items 1 – 10. Councilmember Jason Webb seconded the motion. Each item, as approved by consent, is restated above along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

**VOTE ON MOTION:**

*Motion passed.*

**AYES: GELBMAN, B WEBB, BRYANT, MCDANIEL, J. WEBB**

**NAYS: NONE**

**J. REGULAR ITEMS**

11. Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2017, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto.

**Town of Flower Mound Bond Counsel Presentation**

John Martin, Hilltop Securities

Mr. Martin gave a presentation identifying or noting:

- What the item allows for
- Next steps

And he responded to questions from Council as follows:

- Is it a blind bid process
- What is the reissuance process

Councilmember McDaniel moved to approve an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2017, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto. Deputy Mayor Pro Tem Bryan Webb seconded the motion.

**ORDINANCE NO. 01-17**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF "TOWN OF FLOWER MOUND, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2017"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE TOWN AND A LIMITED PLEDGE OF THE NET REVENUES DERIVED FROM THE OPERATION OF THE TOWN'S WATERWORKS AND SEWER SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID CERTIFICATES TO AN AUTHORIZED TOWN OFFICIAL; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN**

**NAYS: NONE**

**12. Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Yeager Properties, Inc.**

**Staff Presentation**

Ms. Wachholz gave a presentation identifying or noting:

- Background information about Yeager
- Aerial view of site location
- Project details
- Exterior and interior building design example
- Details associated with the 380 Agreement, including cost-benefit analysis

And she or Mr. Stathatos responded to the following questions or comments from Council:

- Clarification that the Town is net positive on cash in 18 months
- For the layout, the developer was encouraged not to over park the project, and to allow for some additional buffering up front to allow more green space along FM 1171
- What does the cost benefit analysis take into account
- Has the Town ever not seen the benefit of a 380 Agreement

There was Council discussion as follows:

- Process the Town goes through prior to a 380 Agreement coming forward
- How the Town has a status report of all 380 Agreements posted on the website

#### **Applicant Presentation**

Mr. Scott Yeager, applicant, and Jason Adams (Innovate Entrepreneur Center) did not have a presentation; however, responded to questions from Council as follows:

- How will they work together for a successful project

Mayor Pro Tem Bryant opened the Public Hearing at 6:36 p.m. and no one spoke in support or opposition, nor had any questions. Mayor Pro Tem Bryant closed the Public Hearing at 6:36 p.m.

Councilmember McDaniel moved to approve a Chapter 380 Agreement between the Town of Flower Mound and Yeager Properties, Inc., and authorize the Mayor to execute same on behalf of the Town. Deputy Mayor Pro Tem Bryan Webb seconded the motion.

#### **VOTE ON MOTION:**

*Motion passed.*

**AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB**

**NAYS: NONE**

13. Public Hearing to consider a request for rezoning (MU17-0001 – Lakeside DFW) to amend the Lakeside DFW Development Code by amending Section 7.1.B(2), "Unrestricted Materials," to add EIFS as an Unrestricted Material applicable only to the Lakeside Tower, and by amending Section 8, "Signage Standards," to allow for signs on construction cranes located within the MU-TEN and MU-C(3) Subzones, as well as amending certain wall sign regulations, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Long Prairie Road and along both sides of Lakeside Parkway. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its February 13, 2017, meeting.)

#### **Staff Presentation**

Mr. Powell gave a presentation identifying or noting:

- How the application is different from the recommendation from P & Z
- How the items are independent of each other and can be voted separately if desired
- Site location
- Land use and zoning
- Photos of the site

- Concept and regulating plan, particularly with the use of a sign on the crane at the site
- Approved east elevation and a request for a change in materials (stucco approved and EIFS proposed – 95%), primarily due to a weight issue given the 16 stories
- Proposed configuration for building sign change request

Mr. Powell responded to questions from Council as follows:

- Would it be appropriate to say if a building has an architectural feature that reaches a certain square footage this type of sign could be used
- Does Lakeside within the PD have a different standard for stucco
- How far away will the sign be visible
- Clarification of the location for the proposed crane sign, including any residential adjacency

There was Council discussion regarding:

For the building material change request from stucco to EIFS:

- Stucco versus EIFS as a building material
- There is a science and engineering behind EIFS that it's acceptable for this type of use
- The quality of the building long term if the material of EIFS is used

For the crane sign:

- Whether or not it should be illuminated or not
- How the crane sign allows the property to be showcased

For the building signage:

- For the building signage it looks good in that application and to write the ordinance where it's applicable throughout the development each time
- How the change actually reduces the overall signage

### **Applicant Presentation**

Richard Myer, Managing Director, Realty Capital Management, 909 Lake Carolyn Parkway, Suite 150, Irving, TX

- How EIFS is superior to stucco in the type of application they are presenting, noting EIFS is less prone to cracking and that is critical given it's a 16 story building
- The cost is the same for stucco or EIFS
- Temporary crane sign request, including the associated lighting and foot candle compliance allowances
- Examples of crane signs
- How the crane sign provides a brand value of Lakeside
- Antennae tower near Lakeside
- Proximity to airport runway

Mike Boyd, Boyd Consulting Group, 4600 Hickox Rd, Rowlett, TX, on behalf of Lakeside Tower and Realty Capital



Mr. Boyd gave a presentation identifying or noting:

- EIFS 101 – the basics
- Reasons to choose EIFS

Jimmy Archie, Managing Director, Realty Capital Management, 909 Lake Carolyn Parkway, Suite 150, Irving, TX

Mr. Archie gave a presentation identifying or noting:

- Request for Council consideration on the building sign change

Mr. Myer, Mr. Boyd, or Mr. Archie responded to questions from Council as follows:

- If EIFS is better why are the first 3 floors stucco
- What is the weight reduction calculations and does that change the engineering of the building
- Any estimates of the light coming in to the units
- Will viewers be able to read or see from FM 2499
- Questions regarding the use of safety lights (as shown in the crane sign sample photo)
- Does the sign need to be illuminated at night if it's a marketing tool
- Are the buyers aware of the material change from stucco to EIFS
- How are the sales going
- Cost of replacing stucco on the 15<sup>th</sup> versus the 13<sup>th</sup> floor, and which material is easier to repair

Mayor Pro Tem Bryant opened the Public Hearing at 7:44 p.m. and no one spoke in support or opposition, or had questions. Mayor Pro Tem Bryant closed the Public Hearing at 7:45 p.m.

*Administrative Note: At the discretion of Council this item was presented for a vote as three separate motions as indicated below.*

*Crane Sign request:*

Councilmember McDaniel moved to approve a request for rezoning (MU17-0001 – Lakeside DFW) to amend the Lakeside DFW Development Code by amending Section 8, "Signage Standards," to allow illuminated signs on construction cranes located within the MU-TEN(1), MU-TEN(2) and MUC-C(3) Subzones, and adopt an ordinance providing for said amendment. Deputy Mayor Pro Tem Bryan Webb seconded the motion.

**VOTE ON MOTION:**

*Motion passed.*

**AYES: MCDANIEL, BRYANT, B. WEBB**

**NAYS: J. WEBB, GELBMAN**

*EIFS material use request:*

Councilmember McDaniel moved to approve an amendment to Ordinance No. 63-12, The Lakeside DFW Mixed Use Development, through the amendment of Exhibit "B" "Development Standards," by amending Section 7, "Architecture and Building Standards," to amend provision 7.1.B, "Materials," to allow EIFS as an unrestricted material applicable only to the Lakeside Tower development within subzone MU-Ten (2), and adopt an

ordinance providing for said amendment. Deputy Mayor Pro Tem Bryan Webb seconded the motion.

**VOTE ON MOTION:**

*Motion passed.*

**AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB**

**NAYS: NONE**

*Wall sign request:*

Councilmember McDaniel moved to approve a request for rezoning (MU17-0001 – Lakeside DFW) to amend the Lakeside DFW Development Code by amending the maximum width and height measurements of the wall signs applicable only to buildings located within the MU-TMR(1), MU-TMR(2), MU-C(1), MU-C(2), MU-C(3), MU-C(4), MU-TEN(1) AND MU-TEN(2) Subzones, and adopt an ordinance providing for said amendment. Councilmember Jason Webb seconded the motion.

**VOTE ON MOTION:**

*Motion passed.*

**AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN**

**NAYS: NONE**

**ORDINANCE NO. 03-17**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 63-12, THE LAKESIDE DFW MIXED USE DEVELOPMENT, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B," "DEVELOPMENT STANDARDS," BY AMENDING SECTION 7, "ARCHITECTURE AND BUILDING STANDARDS," TO AMEND PROVISION 7.1.B, "MATERIALS," TO ALLOW EIFS AS AN UNRESTRICTED MATERIAL APPLICABLE ONLY TO THE LAKESIDE TOWER DEVELOPMENT WITHIN SUBZONE MU-TEN(2); AND BY AMENDING SECTION 8, "SIGNAGE STANDARDS," TO ALLOW ILLUMINATED SIGNS ON CONSTRUCTION CRANES LOCATED WITHIN THE MU-TEN(1), MU-TEN(2) AND MU-C(3) SUBZONES, AND TO AMEND THE MAXIMUM WIDTH AND HEIGHT MEASUREMENTS OF THE WALL SIGNS APPLICABLE ONLY TO BUILDINGS LOCATED WITHIN THE MU-TMR(1), MU-TMR(2), MU-C(1), MU-C(2), MU-C(3), MU-C(4), MU-TEN(1) AND MU-TEN(2) SUBZONES IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

14. Public Hearing to consider a request for a Master Plan Amendment (MPA17-0003 - Urban Design - Roofs and Parapets) to amend Section 4, Urban Design Plan, by modifying the Roofs and Parapets standards regarding applicability and waiver process and criteria, and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 13, 2017, meeting.)

**Staff Presentation**

Mr. Powell gave a presentation identifying or noting:

- Background information
- Current Town standards related to roofs and parapets
- Existing section 12.1 (language that would stay in the code)
- Proposed section 12.1 (new language that could be included in the code)

Mayor Pro Tem Bryant opened the Public Hearing at 8:06 p.m. and no one spoke in support or opposition, or had questions. Mayor Pro Tem Bryant closed the Public Hearing at 8:06 p.m.

Councilmember Jason Webb moved to approve a Master Plan Amendment (MPA17-0003 – Urban Design – Roofs and Parapets) to amend Section 4, Urban Design Plan, by modifying the Roofs and Parapets Standards regarding applicability and waiver process and criteria, and adopt an ordinance providing for said amendment. Councilmember McDaniel seconded the motion.

#### ORDINANCE NO. 04-17

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 4.0, URBAN DESIGN PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO MODIFY THE ARCHITECTURAL STANDARDS BY AMENDING THE STANDARDS FOR ROOFS OF NON-RESIDENTIAL BUILDINGS 15,000 SQUARE FEET OR LESS CONTAINED IN SUBPARAGRAPH 12.1; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION:**

*Motion passed.*

**AYES: GELBMAN, B. WEBB, BRYANT, MCDANIEL, J. WEBB**

**NAYS: NONE**

15. Public Hearing to consider a request for rezoning (ZPD16-0011 - Timber Creek Medical Park) to amend Planned Development District-114 (PD-114) with Retail District-2 (R-2) and Office District (O) uses to include additional land, modify the conceptual elevations and plans, modify the development standards, and request certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Long Prairie Road and south of College Parkway. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 13, 2017, meeting.)

#### **Staff Presentation**

Mr. Powell gave a presentation identifying or noting:

- Location
- Land use and zoning
- Photos of the site
- Approved concept plan
- Proposed concept plan
- Conceptual elevations (buildings A – C)

- Exceptions and modifications
- Approved elevations
- No public comments have been received

Mr. Powell or Ms. Rivera responded to questions from Council as follows:

- How does the parking stack up against the Town standards and other areas of Town

#### **Applicant Presentation**

Randi Rivera, G & A Consultants, 111 Hillside Dr, Lewisville, TX

Mr. Rivera gave a presentation identifying or noting:

- Timber Creek Medical Office Plaza PD
- Aerial view
- Concept site plan (approved and proposed comparison)
- Amenities
- Perspective renderings
- Concept elevations – building A
- Location for the power line exception request

Ms. Rivera responded to questions from Council as follows:

- Clarification regarding the exception request associated with the burial of power lines

Mayor Pro Tem Bryant opened the Public Hearing at 8:18 p.m. and no one spoke in support or opposition, or had questions. Mayor Pro Tem Bryant closed the Public Hearing at 8:18 p.m.

Deputy Mayor Pro Tem Bryan Webb moved to approve a request for rezoning (ZPD16-0011 - Timber Creek Medical Park) to amend Planned Development District-114 (PD-114) with Retail District-2 (R-2) and Office District (O) uses to include additional land, modify the conceptual elevations and plans, modify the development standards, and request certain exceptions and modifications to the Code of Ordinances, and adopt an ordinance providing for said amendment. Councilmember McDaniel seconded the motion.

#### **ORDINANCE NO. 05-17**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NOS. 75-10 AND 17-13, WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 114 (PD-114) ON CERTAIN PROPERTY DESCRIBED AS 21.62 ACRES OF LAND BEING ALL OF THE TIMBER CREEK MEDICAL OFFICE PLAZA; BY ADDING APPROXIMATELY 0.745 ACRES OF LAND SITUATED IN THE C. CHACON SURVEY, ABSTRACT NUMBER 299, AND CHANGING THE ZONING ON THAT LAND FROM RETAIL DISTRICT-1 (R-1) TO PLANNED DEVELOPMENT DISTRICT NO. 114 (PD-114) WITH RETAIL DISTRICT-2 (R-2) USES, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN; AND BY REPLACING EXHIBIT "B," ENTITLED "DEVELOPMENT STANDARDS," EXHIBIT "C," "CONCEPT SITE PLAN," EXHIBIT "D," "CONCEPT LANDSCAPE PLAN," AND EXHIBIT "F," "PARKING STUDY," AS APPLICABLE TO THE SUBJECT PROPERTY; AND BY AMENDING EXHIBIT "E," "CONCEPT ELEVATIONS," TO ADD CONCEPTUAL ELEVATIONS FOR BUILDING NUMBERS A, B AND C, IN**

ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

*Motion passed.*

AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN

NAYS: NONE

**K. BOARDS/COMMISSIONS (Executive Conference Room)**

Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Animal Services Board, Cultural Arts Committee, Environmental Conservation Commission, Parks, Arts and Library Services Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

Mayor Pro Tem Bryant announced that the Town has a few vacancies on some Town boards and outlined the process in which to apply.

**L./M. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 8:24 p.m. on February 20, 2017, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney, and reconvened into an open meeting at 8:57 p.m. on February 20, 2017, to take action on the items as follows:

- a. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

No action taken.

- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

No action taken.

- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights of way, and/or other municipal purposes and all matters incident and related thereto.

No action taken

d. Consultation with Attorney as follows:

1. ONCOR working in TXDOT right of way.

No action taken.

**N. ADJOURN REGULAR MEETING**

Mayor Pro Tem Bryant adjourned the meeting at 8:57 p.m. on February 20, 2017, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

\_\_\_\_\_  
**THOMAS E. HAYDEN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**THERESA SCOTT, TOWN SECRETARY**